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UNITING AND STRENGTHENING AMERICA BY PROVIDING APPROPRIATE TOOLS  
REQUIRED TO INTERCEPT AND OBSTRUCT TERRORISM (USA PATRIOT ACT) ACT OF  
2001

[[Page 115 STAT. 272]]

Public Law 107-56  
107th Congress

An Act

To deter and punish terrorist acts in the United States and around the  
world, to enhance law enforcement investigatory tools, and for other  
purposes. <<NOTE: Oct. 26, 2001 - [H.R. 3162]>>

Be it enacted by the Senate and House of Representatives of the  
United States of America <<NOTE: Uniting and Strengthening America by  
Providing Appropriate Tools Required to Intercept and Obstruct Terrorism  
(USA PATRIOT ACT) Act of 2001.>> in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) Short <<NOTE: 18 USC 1 note.>> Title.--This Act may be cited as  
the ``Uniting and Strengthening America by Providing Appropriate Tools  
Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of  
2001''.

Sec. 1012. Limitation on issuance of hazmat licenses.

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SEC. 1012. <<NOTE: Inter-governmental relations.>> LIMITATION ON  
ISSUANCE OF HAZMAT LICENSES.

(a) Limitation.--

(1) In general.--Chapter 51 of title 49, United States Code,  
is amended by inserting after section 5103 the following new  
section:

``Sec. 5103a. Limitation on issuance of hazmat licenses

``(a) Limitation.--

``(1) Issuance of licenses.--A State may not issue to any  
individual a license to operate a motor vehicle transporting in  
commerce a hazardous material unless the Secretary of

Transportation has first determined, upon receipt of a notification under subsection (c)(1)(B), that the individual does not pose a security risk warranting denial of the license.

“(2) Renewals included.--For the purposes of this section, the term ‘issue’, with respect to a license, includes renewal of the license.

“(b) Hazardous Materials Described.--The limitation in subsection (a) shall apply with respect to--

“(1) any material defined as a hazardous material by the Secretary of Transportation; and

“(2) any chemical or biological material or agent determined by the Secretary of Health and Human Services or the Attorney General as being a threat to the national security of the United States.

“(c) Background Records Check.--

“(1) In general.--Upon the request of a State regarding issuance of a license described in subsection (a)(1) to an individual, the Attorney General--

“(A) shall carry out a background records check regarding the individual; and

“(B) upon completing the background records check, shall notify the Secretary of Transportation of the completion and results of the background records check.

“(2) Scope.--A background records check regarding an individual under this subsection shall consist of the following:

“(A) A check of the relevant criminal history data bases.

“(B) In the case of an alien, a check of the relevant data bases to determine the status of the alien under the immigration laws of the United States.

“(C) As appropriate, a check of the relevant international data bases through Interpol-U.S. National Central Bureau or other appropriate means.

“(d) Reporting Requirement.--Each State shall submit to the Secretary of Transportation, at such time and in such manner as the Secretary may prescribe, the name, address, and such other information as the Secretary may require, concerning--

“(1) each alien to whom the State issues a license described in subsection (a); and

“(2) each other individual to whom such a license is issued, as the Secretary may require.

“(e) Alien Defined.--In this section, the term ‘alien’ has the meaning given the term in section 101(a)(3) of the Immigration and Nationality Act.’’.

(2) Clerical amendment.--The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5103 the following new item:

“5103a. Limitation on issuance of hazmat licenses.’’.

(b) Regulation of Driver Fitness.--Section 31305(a)(5) of title 49, United States Code, is amended--

- (1) by striking ``and'' at the end of subparagraph (A);
- (2) by inserting ``and'' at the end of subparagraph (B); and
- (3) by adding at the end the following new subparagraph:  
``(C) is licensed by a State to operate the vehicle after having first been determined under section 5103a of this title as not posing a security risk warranting denial of the license.''.

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(c) Authorization <<NOTE: 49 USC 5103a note.>> of Appropriations.-- There is authorized to be appropriated for the Department of Transportation and the Department of Justice such amounts as may be necessary to carry out section 5103a of title 49, United States Code, as added by subsection (a).

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Approved October 26, 2001.

LEGISLATIVE HISTORY--H.R. 3162:

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CONGRESSIONAL RECORD, Vol. 147 (2001):

Oct. 23, 24, considered and passed House.

Oct. 25, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Oct. 26, Presidential remarks.

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